



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Myers Bigel Sibley & Sajovec
PO Box 37428
Raleigh, NC 27627

COPY MAILED

NOV 04 2003

OFFICE OF PETITIONS

In re Application of
Mahony et al.
Application No. 10/606,677
Filed: June 26, 2003
Attorney Docket No. 9400-7

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.10, filed October 21, 2003, requesting that the above-identified application be accorded a filing date of June 26, 2003, rather than the presently accorded filing date of June 27, 2003.

Petitioner alleges that the application was deposited in Express Mail service on June 26, 2003. Petitioner did not provide a copy of the Express Mail Label with the present petition. The Express Mail label No. EV353609750US was placed on the original application papers located in the official file. In support of petitioner's allegation, petitioner submitted a copy of a computer printout from the United States Postal Service Track and Confirm Database. The printout indicated that the USPS accepted a package bearing Express Mail label No. EV353609750US on June 26, 2003, at 5:29 pm in Raleigh, NC 27612.

In view of the above, the petition is granted. No petition fee is necessary.

This application file will be forwarded to the Office of Initial Patent Examination for correction of the filing date to June 26, 2003.

Telephone inquiries should be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions